

Hon. Franklin D. Burgess

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TEXAS WHOLESALE, INC., a Texas corporation,

Plaintiff,

v.

DARYL E. BELL and KATRINA BELL a/k/a  
KATRINA SCHNELLE, et al.,

Defendants.

No. C05 5322FDB

STIPULATED MOTION AND  
ORDER DISMISSING  
DEFENDANT CHRIS BUCK WITH  
PREJUDICE

**STIPULATED MOTION**

Plaintiff Texas Wholesale, Inc. (a/k/a Texas Wholesale Dental Supply, Inc. d/b/a National Dental Supply) (hereinafter “Texas Wholesale”) and Defendant Chris Buck, by and through their attorneys of record, hereby move for an Order dismissing Chris Buck from this action with prejudice, pursuant to the parties’ Stipulation for Dismissal, filed herewith.

STIPULATED MOTION AND [PROPOSED] ORDER  
DISMISSING DEFENDANT CHRIS BUCK WITH  
PREJUDICE (C05-5322FDB) – Page 1

*Smith  
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Tacoma: (253) 627-1091  
Seattle: (425) 251-5938  
Facsimile: (253) 627-0123

1 SO STIPULATED this 30<sup>th</sup> day of September, 2005.

2 SMITH ALLING LANE, P.S.

SMITH & HENNESSEY, PLLC

3  
4 By /s/Michael E. McAleenan.  
Michael E. McAleenan, WSBA #29426  
5 Attorney for Plaintiff

By /s/ Ann Marie Bender.  
Ann Marie Bender, WSBA #32563  
Attorney for Defendant Chris Buck

6  
7 **ORDER**

8 This matter having come before the Court on the foregoing Stipulated Motion and the  
9 parties' Stipulation for Dismissal of Defendant Chris Buck with prejudice, and the Court  
10 being fully advised, now, therefore, ORDERS, ADJUDGES AND DECREES that Plaintiff's  
11 claims against defendant Chris Buck are DISMISSED WITH PREJUDICE, with each party to  
12 bear its own attorneys' fees, costs, and expenses.

13 **IT IS SO ORDERED.**

14 DATED this 3<sup>rd</sup> day of October 2005

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FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

17  
18 **Presented by:**

19 **SMITH & HENNESSEY PLLC**

20  
21 By: /s/ Ann Marie Bender.  
22 Brent T. Caldwell, WSBA 25901  
Ann Marie Bender, WSBA 32563  
23 Attorneys for Defendant Chris Buck

1 SMITH ALLING LANE, P.S.

2  
3 By: /s/Michael E. McAleenan.  
4 Michael E. McAleenan, WSBA 29426  
Attorneys for Plaintiff  
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STIPULATED MOTION AND [PROPOSED] ORDER  
DISMISSING DEFENDANT CHRIS BUCK WITH  
PREJUDICE (C05-5322FDB) – Page 3

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 30, 2005 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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